

REMARKS

Claims 6-17 have been canceled herein and claims 1-5 remain pending in the present application.

Applicants thank the Examiner for the indication that claims 1-5 are allowable, save for a provisional obviousness-type double patenting rejection over co-pending Application No. 10/787,906. Applicants note that the present application was filed 9 February 2004, whereas the cited co-pending application was filed 26 February 2004. Applicants remind the Examiner that “[i]f the ODP rejection is the only rejection remaining in the earlier filed of the two pending applications, ... the Examiner should then withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer.” MPEP §1490 (8th Ed., Rev. 5 August, 2006) (emphasis added). Accordingly, Applicants request that the Examiner reconsider and withdraw the obviousness-type double patenting rejection in the present application.

CONCLUSION

Applicants thank the Examiner for the indication of allowable subject matter and respectfully request the Examiner to withdraw the obviousness-type double patenting rejection and allow the pending claims of the present application to issue.

Should the Examiner believe that further discussion of any remaining issues would advance the prosecution, he or she is invited to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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